



PATENT  
Customer No. 22,852  
Attorney Docket No. 09812.0758-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 )  
Masami Ogata et al. ) Group Art Unit: 2624  
 )  
Application No.: 10/802,600 ) Examiner: Chen, Wenpeng  
 )  
Filed: March 16, 2004 ) Confirmation No.: 8920  
 )  
For: IMAGE PROCESSING )  
APPARATUS AND IMAGE )  
PROCESSING METHOD )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

In an Election of Species Requirement mailed July 17, 2007, the period for response to which has been extended to September 17, 2007 by a Petition for Extension of Time of one month and a fee payment submitted concurrently herewith, the Examiner objected to the drawings and required election under 35 U.S.C. § 121 between the following species:

- Species I - Figure 9, characterized by the Examiner as being directed to correcting both the brightness data and the color data with the gradation process;
- Species II - Figure 10, characterized by the Examiner as being directed to correcting image data based on property of the color information around the pixel to be corrected in a gradation process; and
- Species III - Figure 27, characterized by the Examiner as being directed to correcting image data with dynamically selected resolution based on the pixel values of the image data in a gradation process.

Applicants provisionally elect to prosecute Species I. At least claims 31-56 read on species I.

Further, Applicants submit herewith four drawing Replacement Sheets showing Figures 13 and 29-32. Figures 30-32 have been labeled "prior art," and figure 13 has been amended to change "xmim" to "xmm." Accordingly, Applicants respectfully request withdrawal of the objection to the drawings.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 28, 2007

By: 

Michael R. Kelly  
Reg. No. 33,921